

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GENESIS WILSON, ALIAKSANDRA KULESH, and NATALIA ZEMTSOVA on behalf of themselves and on behalf of all others similarly situated,

Plaintiffs,

- against -

PASQUALE'S DAMARINO'S, INC.,
PASQUALE MARINO, IZABELA MARINO, PETER ROSSIGNUOLO a/k/a PETER ROSSI, CRAIG PERRY, GIANCARLO MONTESARCHIO and JOHN DOE a/k/a SALVATORE,

Defendants.

PAUL G. GARDEPHE, U.S.D.J.:

By letter dated January 7, 2011, Defendants' former counsel, Albert Adam Breud, requests reconsideration of this Court's January 6, 2011 Order directing Mr. Breud to transfer his files concerning this litigation to Popescu, Iosepovici, LLP, which has substituted in for Mr. Breud as counsel for Defendants. Mr. Breud's application for reconsideration is GRANTED. The Court shall reconsider the question of whether Mr. Breud should be permitted to retain the files pursuant to an attorney lien.

Defendants' former and current counsel shall make submissions to the Court on this matter in accordance with the schedule set forth below. Submissions shall be made by mail and/ or fax only, and shall not be filed on ECF.

- (1) By 5:00 p.m. on Tuesday, January 25, 2011, Defendants' former counsel shall submit to the Court any affidavits, exhibits or other documentation in support of his claim that he is entitled to retain the files, as well as any memorandum of law setting forth the legal basis for this position;

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>1/21/2011</u>

ORDER

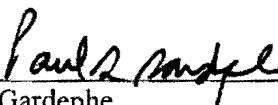
10 Civ. 2709 (PGG)

2011

- (2) By 5:00 p.m. on Monday, January 31, 2011, Defendants' current counsel shall submit to the Court any affidavits, exhibits or other documentation in support of its position that former counsel must relinquish the files, as well as any memorandum of law setting forth the legal basis for its position;
- (3) By 5:00 p.m. on Monday, February 7, 2011, Defendants' former counsel shall submit any reply papers.

Dated: New York, New York
January 19, 2011

SO ORDERED.



Paul G. Gardephe
United States District Judge